

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

COLLAGENEX PHARMACEUTICALS, INC.,
Plaintiff,

v.

TOMMY G. THOMPSON, Secretary of Health
and Human Services, DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
MARK B. McCLELLAN, Commissioner of
Food and Drugs, and FOOD AND DRUG
ADMINISTRATION, Defendants,

MUTUAL PHARMACEUTICAL
COMPANY, INC., Intervenor-Defendant,

and

WEST-WARD PHARMACEUTICAL CORP.,
Intervenor-Defendant

Civ. Case No. 03-01405 (RMC)

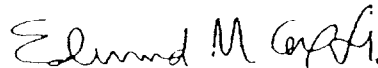
DECLARATION OF EDWARD M. COX, Jr.

Edward M. Cox declares as follows:

1. I am Deputy Director, Office of Drug Evaluation IV, Office of New Drugs, Center for Drug Evaluation and Research, United States Food and Drug Administration (FDA).
2. In this capacity, I have custody of official records of FDA.
3. Attached is a copy of the administrative record pertaining to FDA's classification of Periostat® (doxycycline hyclate) 20mg as an antibiotic drug.
4. Copies of the administrative record are part of the official records of FDA.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 23, 2003.



Edward M. Cox, Jr., M.D. M.P.H.